

Notice of Allowability

Application No.

09/782,934

Examiner

Khanh H. Le

Applicant(s)

MODANI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Dec 15, 2004.
2. ☒ The allowed claim(s) is/are 14-23 and 26-33.
3. ☒ The drawings filed on 8/23/2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date Dec 15, 2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Examiner's Amendment- Allowance

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. M. S. Rahman on 1/7/2005.

The application has been amended as follows:

Please cancel claims 24-25.

2. This Office Action is in response to the Amendment and Response dated December 15, 2004. Claims 14-33 were pending. Amended claims 14, 20 21, 24-33 were submitted. Following the above Examiner's Amendment and entry of the remaining amended claims, claims 14-23, 26-33 are now pending. Claims 14, 24, and 26 are independent.

Claim Rejections - 35 USC § 101

3. Claims 14-25 were rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The rejections are withdrawn in view of the claims amendments or cancellation.

Claim Rejections - 35 USC § 112

4. Claim 14-23, and 26-33 were rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. The rejections are withdrawn as appropriate corrections have been made as required.

Allowance

5. Claims **14-23, and 26-33** are allowed.

Reasons for allowance

6. The following is an examiner's statement of reasons for allowance:

Whereas fees charging by an intermediary e-coupons authentication party is known, the combination of the following steps (**in bold**) distinguish the invention from the prior art:

Claim 14: A method for honoring electronic coupons utilizing computing equipment, said method comprising:

- an issuing party issuing an electronic coupon to a customer;
- said customer presenting said coupon for redemption to a redemption party, said redemption party being non-competitive with said issuing party;
- said redemption party transmitting said coupon to an authentication party for authentication, **said authentication party being different than said issuing party**;
- said authentication party determining whether said coupon is authentic;
- said authentication party charging said redemption party a fee upon determination that said coupon is authentic;
- said authentication party passing said fee to said issuing party**;
- said redemption party honoring said coupon from said customer, and

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upon said honoring, **said redemption party seeking reimbursement of said fee from said issuing party; and**

said issuing party reimbursing said fee to said redemption party.

Claims 15-23 are allowed because they are dependent on claim 14.

Claim 26 is allowed for the same reasons as claim 14.

Claims 27-33 are allowed because they are dependent on claim 26.

7. The closest US patent prior art reference is:

Palmer et al., US 6505,773 B1 discloses an online coupon issuing and redemption system and method that receives requests for coupons from consumers, presents advertisements, and issues coupons to consumers electronically. The coupons are digitally signed in order to prevent fraud. In order to prevent further fraudulent tampering of coupons, the redemption station includes a tamper-protected coprocessor for performing operations on the coupons. The system further includes capability for the redemption station to link to an issuing station for electronic reimbursements.

However, Palmer, alone or in combination with any other prior art reference, fails to teach or suggest a third party authentication and validation component which authenticates and validates the redeemed electronic coupons and is not subject to the deficiencies of a cross-coupon honoring system by charging the redemption party, passing the fee to the issuing party and allowing the redemption party to seek and obtain reimbursement of the fee from the issuing party.

8. The closest foreign patent prior art is WO 200120527 to Beach et al. which discloses a shopping assistance program whereby coupons are verified at point of sales to conform to coupon criteria and authorized deposits are made to users' accounts.

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However, Beach et al., alone or in combination with any other prior art reference, fails to teach or suggest a third party authentication and validation component which authenticates and validates the redeemed electronic coupons and is not subject to the deficiencies of a cross-coupon honoring system by charging the redemption party, passing the fee to the issuing party and allowing the redemption party to seek and obtain reimbursement of the fee from the issuing party.

9. The closest non-patent prior art is :

“Coupon Chaos: Plea to Stores”, Super Marketing, n1014, p8(2), Mar 20, 1992 , Dialog File 148, Record # 05896417. It discloses cross and misredemption of coupons.

However, Coupon Chaos, alone or in combination with any other prior art reference, fails to teach or suggest a third party authentication and validation component which authenticates and validates the redeemed electronic coupons and is not subject to the deficiencies of a cross-coupon honoring system by charging the redemption party, passing the fee to the issuing party and allowing the redemption party to seek and obtain reimbursement of the fee from the issuing party.

Conclusion

10. Prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh H. Le whose telephone number is 703-305-0571. The Examiner works a part-time schedule and can normally be reached on Tuesday-Thursday 9:00-6:00.

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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Eric Stamber can be reached on 703-305-8469. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113

January 10, 2005

KHC

KHL


JAMES W. MYHRE
PRIMARY EXAMINER